Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of	)	
Petition for Rulemaking to Establish A Low Power AM Radio Service	)	RM-11287

Notice of Filing for
Petition for Rulemaking

Cohen, Dippell and Everist, P.C. ("CDE") is an established engineering firm located in Washington, D.C. and its predecessors have offered professional engineering services to the broadcast and communications industry for over sixty (60) years.

This firm has examined the petition for rulemaking ("Petition") filed jointly by the Amherst Alliance of Michigan, The Michigan Music is World Class! Campaign of Michigan, The LPAM Network of Maine, Nickolaus E. Leggett N3NL of Virginia and Liberal Studies Program proposing a variety of criteria for the establishment of Low Power AM Radio Service.

The Petition is not clear of its technical proposal; as to the type of radiator height; the criteria to protect existing daytime and nighttime authorizations and operations. Further:

- it does not offer a comprehensive technical description that permits evaluation by other administrations
- it does not offer an analysis how it will comply with the technical rules adopted in MM Docket No. 87-267

History

This firm has been a long standing and active part in many facets over the years to improve AM broadcasting. For example, this firm chaired the AM Service Working Group which was one of the six Broadcasting Service Groups to assist the Commission in the preparatory effort at the 1979 World Administrative Conference.[1] The AM group was instructed to review, among other items, the following: channel separation, additional channels, stereo operation, percentage modulation, directional antennas, interference and coverage criteria, power limitations and ITU regulations. Additional topics were solicited from the floor during the meetings with particular emphasis for enhanced operations.

At the initial meeting on October 22, 1975, Donald G. Everist was elected Chairman. One of the tasks, the AM Service Working Group performed was to examine the prospects to expand the existing AM band. In fact, the AM Group proposed AM broadcast for the frequencies 115 through 190 kHz, 525 through 535 kHz, and 1605 through 1800 kHz. Ultimately, the Commission agreed in part with this recommendation of using 1605 through 1705 kHz for AM broadcasting.

The AM Service Working Group sent a letter on January 24, 1977 to Chairman Richard E. Wiley which noted that the AM broadcast service has a number of valuable characteristics not shared with any other broadcast service. Five of the six are still valid:

- Groundwave service.

[1]See Public Notice dated October 1, 1975 entitled, "Organization of Six Broadcasting Service Groups to Assist in the Preparation of the United States Position at the 1979 World Administrative Radio Conference", which announced the Six Broadcasting Service Groups.

- Skywave service at night to distant areas beyond the reach of other broadcast services.
- Uncomplicated modulation transmission and reception techniques which result in relatively inexpensive receivers.
- Service to the traveling public since most automobiles have standard broadcast receivers.
- Reliability in time of disaster since restoration of standard broadcast service can be achieved in less time than any other broadcast service.

The firm, at its own expense, provided expertise to the U.S. Government at many levels. In addition to the AM Service Working Group, Donald G. Everist was an industrial delegate to many of the meetings under the auspices of the International Telecommunications Union Regional Administrative Medium Frequency Broadcasting Conference in Buenos Aires, Argentina. All of this effort was directed at fostering the AM broadcast service[2] by controlling interference domestically as well as throughout the hemisphere.

The Commission adopted rules in MM Docket No. 87-267.[3] The Commission stated the thrust of those rules to reduce interference by various methods and to adopt Model 1 and Model 2 station parameters. It incorporated the expanded band (1605-1705 kHz) frequencies to permit existing stations to reduce interference by migrating to the expanded band. The Commission adopted criteria as to how stations would be selected and the priority was for the overall reduction of interference in the migration to expanded band. It also adopted NRSC-1AM to help foster a reduction in overall band interference.

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[2]Region II Agreement

[3]Report and Order entitled, "In the Matter of Review of the Technical Assignment Criteria for the AM Broadcast Service, MM Docket No. 87-267" Adopted September 26, 1991 and Released October 25, 1991.

The FCC indicated in the *Report and Order* that it was adopting rules that:

- Increase the first and second adjacent channel protection ratios to reduce adjacent channel interference and to promote the development of receivers with high audio fidelity.

- Refine the methodology of calculating nighttime coverage and interference to more accurately measure interference efforts, which should lead to an improvement in nighttime reception.

- In some cases, require a 10% interference reduction when modifications are made to AM station facilities, which should gradually reduce the overall presence of interference.

Discussion

As seen from the above, much effort has been expended since 1975 by industry and the Commission to adopt changes in rules that will help foster and maintain a vibrant AM broadcast service.

Model I and Model II facilities are defined in Section 73.14 of the FCC Rules. The docket as discussed above modified the technical analysis by an increase in the first and second-adjacent channel protection ratios to reduce adjacent channel interference, changed the nighttime calculation method of coverage and interference and imposed a reduction of 10% for modification of AM facilities.

The stated purpose by the Commission in adopting those Rules was to halt the decline in existing service. In fact, for nighttime MM Docket No. 87-267 developed an approach by reducing or restricting nighttime interference by considering all skywave signals to include not only co-channel, but also first-adjacent channels and also replacing the 50% RSS exclusion method by considering 25% RSS exclusion interference levels.

Further, the Commission in that Docket sought to address flexibility, coverage, and noise. The docket also incorporated a single classification system to conform to the International Agreements which the United States is signatory. These International Agreements are noted in Sections 73.23 and 73.1650 of the FCC Rules.

Currently, it is understood that a part of the EAS system uses a Primary Entry Point ("PEP"). Many of these PEP locations are the so-called old Clear Channel stations. These so-called Clear Channel stations provide protected wide-area daytime and nighttime service. The impact of

- new entrants without compliance with the current technical rules on this PEP system needs to be calculated or determined so that this important function is not unduly impacted.

Summary

The desire to provide additional service, no matter how well intended, without the proper consideration of allocation issues could result in additional interference to the AM band. This additional interference would be at variance with the intent of the Rules adopted in MM Docket No. 87-267.

Respectfully Submitted,

Donald G. Everist

Date: November 21, 2005